

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARQUISE LOUIS DRUMWRIGHT,
Plaintiff,
v.
C. HUCKLEBERRY, et al.,
Defendants.

Case No.: 1:22-cv-01410-JLT-SKO (PC)

ORDER REFERRING CASE TO POST-SCREENING ADR AND STAYING CASE FOR 120 DAYS

FORTY-FIVE (45) DAY DEADLINE

Plaintiff is proceeding pro se and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds against Defendant G. Gomez for violations of Plaintiff's First and Eighth Amendment rights. Defendant Gomez filed an answer to Plaintiff's complaint on October 31, 2024. (Doc. 37.)

The Court refers all civil rights cases filed by pro se inmates to Alternative Dispute Resolution ("ADR") to attempt to resolve such cases more expeditiously and less expensively.

The Court stays this action for 120 days to allow the parties to investigate Plaintiff's claims, meet and confer, and participate in an early settlement conference. The Court presumes that all post-screening civil rights cases assigned to the undersigned will proceed to a settlement conference. However, if, after investigating Plaintiff's claims and meeting and conferring, either party finds that a settlement conference would be a waste of resources, the party may opt out of the early settlement conference.

1 Accordingly, it is hereby **ORDERED**:

2 1. This action is STAYED for **120 days** to allow the parties an opportunity to settle their
3 dispute before the discovery process begins. No pleadings or motions may be filed in
4 this case during the stay. The parties shall not engage in formal discovery, but they
5 may engage in informal discovery to prepare for the settlement conference.

6 2. **Within 45 days** from the date of this Order, the parties SHALL file the attached
7 notice, indicating their agreement to proceed to an early settlement conference or their
8 belief that settlement is not achievable at this time.

9 3. **Within 60 days** from the date of this Order, defense counsel SHALL contact the
10 undersigned's Courtroom Deputy Clerk at wkusamura@caed.uscourts.gov to schedule
11 the settlement conference, assuming the parties agree to participate in an early
12 settlement conference.

13 4. If the parties reach a settlement during the stay of this action, they SHALL file a
14 Notice of Settlement as required by Local Rule 160.

15 5. The Clerk of the Court SHALL serve via email copies of Plaintiff's complaint (Doc.
16 1), the Court's First Screening Order (Doc. 11), the Order Adopting Findings and
17 Recommendations to Dismiss Certain Claims and Defendant Huckleberry (Doc. 15),
18 and this Order to Supervising Deputy Attorney General Lawrence Bragg
19 (Lawrence.Bragg@doj.ca.gov), serve a copy of this Order to ADR Coordinator Sujean
20 Park.

21 6. The parties are obligated to keep the Court informed of their current addresses during
22 the stay and the pendency of this action. Changes of address must be reported
23 promptly in a Notice of Change of Address. *See L.R. 182(f).*

24 IT IS SO ORDERED.
25

26 Dated: November 1, 2024

27 /s/ Sheila K. Oberto
28 UNITED STATES MAGISTRATE JUDGE

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NOTICE REGARDING EARLY SETTLEMENT CONFERENCE

1. The party or counsel agrees that an early settlement conference would be productive and wishes to engage in an early settlement conference.

Yes **No**

2. Plaintiff (check one):

would like to participate in the settlement conference in person.

_____ would like to participate in the settlement conference by telephone or video conference.

Dated:

Plaintiff or Counsel for Defendants